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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,974	04/08/2004	Boris Mayer	30691/DP009	9534
4743	7590	10/17/2006	EXAMINER	
MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606			WAGGONER, TIMOTHY R	
			ART UNIT	PAPER NUMBER
			3651	

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/820,974	<b>Applicant(s)</b> MAYER ET AL.	
	<b>Examiner</b> Timothy R. Waggoner	<b>Art Unit</b> 3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1 and 6-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 6-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to claims 1 and 6-38 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,6,8-12 and 23-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaarsoo et al. USPN 5,475,378 in view of Umeda et al. 6,010,064.

Kaarsoo discloses:

(Re claim 1,36) "determining whether a predefinable number of changes have been made to the data stored in a server and ... transmitting control commands to a parcel compartment system via and interface when a predefinable number of changes have been made to the data". (lines 34-45 col 6, Kaarsoo).

Kaarsoo does not disclose updating a graphical user interface in relation to control commands.

Umed teaches updating a graphical user interface in relation to control commands.

It would be obvious to one skilled in the art to modify the locker system of Kaarsoo to include a graphic display and update this display in response to control commands.

(Re claim 6,27) control commands change a selection option of menu items of the graphic use interface" (figures 6-8, Umeda).

(Re claim 8,23,37) "sending to the interface a request to transmit the control commands" ("access requests", line 17 col 2, Kaarsoo).

(Re claim 9,28,37) "repeating the sending step (c) when an event occurs" (lines 1-9 col 2, Kaarsoo) .

(Re claim 10,29,38) "sending step (c) is repeated after a predefinable time interval" (lines 12-14 col 5, Kaarsoo).

(Re claim 11,30,32) "the step of transmitting data to the server via the parcel compartment" (lines 1-9 col 2, Kaarsoo).

(Re claim 12,31,32) "server converts the transmitted data into control commands" (lines 1-9 col 2, Kaarsoo).

(Re claims 24-26 and 33-35) The updating of the database of each local server as disclosed by Kaarsoo performs the functions as claimed in claims 14-16.

Claims 7 and 14-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaarsoo as modified by Umeda as applied to claim 1 above, and further in view of Jarossay et al. USPN 5,734,907

Kaarsoo as modified by Umeda discloses the parcel system claimed in claim 1.

Kaarsoo as modified by Umeda does not disclose using XML protocol for its information transmission.

Jarossay et al. teaches the use of XML protocol for the transmission of information.

It would be obvious to one skilled in the art to modify Kaarsoo as modified by Umeda because it provides for simple control of graphical interfaces.

(Re claims 14-16) The updating of the database of each local server as disclosed by Kaarsoo performs the functions as claimed in claims 14-16.

(Re claim 17) control commands change a selection option of menu items of the graphic use interface" (figures 6-8, Umeda).

(Re claim 18) "sending to the interface a request to transmit the control commands" ("access requests", line 17 col 2, Kaarsoo).

(Re claim 19) "repeating the sending step (c) when an event occurs" (lines 1-9 col 2, Kaarsoo) .

(Re claim 20) "sending step (c) is repeated after a predefinable time interval" (lines 12-14 col 5, Kaarsoo).

(Re claim 21) "the step of transmitting data to the server via the parcel compartment" (lines 1-9 col 2, Kaarsoo).

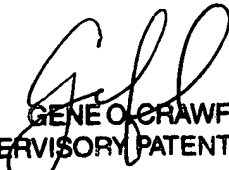
(Re claim 22) "server converts th transmitted data into control commands" (lines 1-9 col 2, Kaarsoo).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy R. Waggoner whose telephone number is (571) 272-8204. The examiner can normally be reached on Mon-Thu 8am-2pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TRW

  
GENE O. CRAWFORD  
SUPERVISORY PATENT EXAMINER